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Crime Prevention and Criminal Justice

United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

Report of the Secretary-General

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* A/52/150 and Corr.1.

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I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 51/61 of 12 December 1996. It highlights issues on the status of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI) and its operations.

2. In its resolution 51/61, the General Assembly commended the efforts of UNAFRI to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice systems in Africa. In addition, the Assembly reiterated the need for strengthening the Institute's capacity to support a national mechanism for crime prevention and criminal justice of African countries.

3. The 1997 report of the United Nations Economic Commission for Africa (ECA) consultative mission to rationalize and harmonize the institutions acknowledged that UNAFRI, as a unique institution in Africa, was fully justified with respect to the needs assessment of member States.

4. The Commission on Crime Prevention and Criminal Justice, at its sixth session, held at Vienna from 28 April to 9 May 1997, was informed of the continuing efforts of the Institute to contribute to crime prevention and criminal justice reform in the African countries. The report of the Commission on its sixth session[1] referred to the financial situation of the Institute which had further deteriorated and was in urgent need of attention. Many participants stressed the importance of the institutes comprising the United Nations crime prevention and criminal justice programme network, including UNAFRI, commended their work and their efforts to broaden their partnerships and called for continued support of their work.

5. The African Ministerial Workshop on Organized Crime, held at Dakar from 21 to 23 July 1997, adopted the Dakar Declaration on the Prevention and Control of Organized Transnational Crime and Corruption, in which it stressed the role of UNAFRI as a very useful vehicle for enhancing regional cooperation and coordination in the fight against crime and urged all countries of the region to comply with their obligation to support the Institute. The representative of the Secretary-General of the Organization of African Unity (OAU) to the Ministerial Workshop appealed to member States to pay their financial dues to the Institute so that it might implement its mandate and carry out its activities more effectively and efficiently.

II. Programme activities

6. The Institute's programme of work for the period 1996-1997, as prepared by the management of the Institute in consultation with the Chairman of the Governing Board, consists of the following activities: (a) general direction and management; (b) training and human resources development; (c) comparative research and policy development; (d) information and documentation services; (e) advisory services to Governments and technical cooperation; (f) international cooperation and joint activities; (g) conferences and seminars.

A. General direction and management

7. Drawing on new developments, the Institute made additional efforts to design and develop innovative approaches to raise the awareness of Governments in the area of new strategies in crime prevention and criminal justice. The Institute also developed new revenue sources in addition to contributions from member States.

8. UNAFRI continued to implement its activities and to administer its staff, funds and other resources in conformity with the stipulations of its statute and the procedures laid down in its staff rules and regulations and financial rules and regulations. In all its operations, measures were taken to ensure strict adherence to required standards of effective management practice.

9. In its resource mobilizing activities, the Institute was greatly assisted by the Government of Uganda and its direct appeals to all member States to speed up payment of their assessed contributions. Government officials also stressed the importance of member States' contributions by personal contacts with their colleagues in the Governments of other African countries.

10. The Institute, as a cost-cutting measure, had been compelled to freeze the posts of its substantive officers, thereby laying off the core Professional staff in 1996. This measure remained in force during the reporting period. Consequently, the use of consultant services was continued to supplement existing expertise in implementing activities carried out by the Institute.

B. Training and human resources development

11. The training activities that were approved for implementation in 1996 and 1997 were not executed during

1996. The University of South Africa has indicated an interest in cooperating with the Institute in the organization of training courses and seminars to develop human resources in priority areas of crime prevention and criminal justice, as requested by member States and approved by the Governing Board. Such training activities will be organized at the subregional level and paid by the Governments of participants.

12. In October 1997, the Institute is to implement the second phase of the African extradition and mutual assistance project, which includes a training course on extradition. The seminar will involve government officials responsible for extradition from all African countries with a view to raising awareness of the great importance of extradition arrangements in the prevention and control of organized transnational crime.

C. Comparative research and policy development

13. Despite its financial crisis, the Institute continued to develop the action-oriented study on the resettlement of street children (see A/51/450, para. 16). On the basis of the study a youth crime prevention initiative was established with the aim of addressing the escalating problem of urban youth crime, illicit drug abuse and violence. The Institute serves as a catalyst to various interested local groups and individuals and has promoted the active participation of street children, parents of street children, the community, law enforcement personnel and non-governmental organizations, that focus on children. The initiative received much support from the community. This support, along with the enthusiasm demonstrated by the participating youth, indicate how communities can be motivated to participate effectively in local crime prevention programmes. At the same time, the youth crime prevention initiative promoted the social integration of street children into their local communities. A first important lesson from the survey and the initiative was that local communities could actively support the reintegration of street children in their local communities if their sensitization was backed up by demonstrable life experiences. Funds permitting, the Institute is ready to prepare and publish reports on these experiences as Institute research publications, and to replicate these initiatives in several other African countries.

14. The Institute finalized its monograph on the rehabilitation of prisoners (ibid., para. 17), which is available in English and French upon request. The study on social rehabilitation in Uganda was further developed, thanks to the financial support of Uganda. Based on the results of that study, UNAFRI will assist the Government of Uganda in studying the feasibility of implementing community service as an alternative to imprisonment in that country. The reports on these initiatives may encourage other member States to request the Institute's assistance in this area.

15. As was mentioned in the previous report, the Institute cooperates with the United States Department of Justice and Department of State on a project on extradition (ibid., para. 28). The implementation of the project has proceeded according to plan with the completion of the first phase, in which the Institute collected data and information on existing extradition and mutual legal assistance arrangements of all African States.

16. The Institute cooperated with the University of South Africa on a crime victimization survey research project which supplement the ongoing Global International Crime Victimization Survey by a number of countries of sub-Saharan Africa, including Swaziland, Namibia, Lesotho and Angola. The number of African countries participating in the survey thus increased from four (Botswana, South Africa, Uganda and Zimbabwe) to eight. The United Nations Interregional Crime and Justice Research Institute (UNICRI), as the overall coordinator of the survey, will assist the Institute in the implementation of the project and the University of South Africa volunteered to mobilize the resources for the project. The project was initiated in July 1997; the project will have two phases: (a) conduct of the survey in the four countries; and (b) comparative analysis of the database of all eight countries.

17. Owing to financial constraints, the Institute had to limit its services in identifying and analysing trends and patterns of criminality. While it is evident that crime, particularly economic and organized crime in its transnational dimensions, is detrimental to the sustainable development of the African countries, financial cuts in this research area may have negative long-term consequences for the continent as a whole. The Institute continued to use every opportunity, especially its biannual newsletter and its participation in subregional, regional and international meetings, to raise the awareness of all concerned that research in this area is the basis for developing effective practical measures to combat crime, especially transnational organized crime.

D. Information and documentation services

18. The Institute, with the assistance of the United States National Institute of Justice (NIJ), set up a Web site on the

Internet. NIJ also assisted the Institute in providing the infrastructure and technical assistance necessary to link the Institute with the UNOJUST home page on the Internet, thereby strengthening the communication capacity of the Institute, as much information is shared by using this new technology. NIJ has greatly facilitated the further development of the Institute's library and data bank, all of which are at the service of the African countries. Funds from NIJ helped the Institute to retain, on a part-time basis, the services of an information/documentation adviser.

19. The Institute participated in a workshop for all programme network institutes webmaster technical staff on UNOJUST, which was held during the sixth session of the Commission on Crime Prevention and Criminal Justice.

20. Volume 7, Number 2, of the Institute's biannual newsletter was published in English and French, and received wide distribution. Volume 8, Numbers 1 and 2, will be published and distributed in October 1997.

E. Advisory services to Governments and technical cooperation

21. Owing to budgetary constraints, the institute was unable to undertake advisory missions in 1996. Similarly, the economic and financial situation of many African countries discouraged them from requesting advisory services at their own expense.

F. International cooperation and joint activities

22. The Institute continued to give high priority to improvement and further strengthening of cooperation and collaboration between UNAFRI and the institutes comprising the Crime Prevention and Criminal Justice Programme network. This involved, *inter alia*, the exchange of expertise, information, views and experience among organizations regarding crime prevention and criminal justice.

23. The Institute cooperated in a number of joint activities during the reporting period. An African Ministerial Workshop on Corruption and Organized Transnational Crime was organized by the United Nations International Drug Control Programme (UNDCP) and the Crime Prevention and Criminal Justice Division of the United Nations Secretariat and was held at Dakar from 21 to 25 July 1997, as a follow-up to the Naples Political Declaration and Global Action Plan against Organized Transnational Crime. The Institute was involved in its preparation and actively participated in the workshop, which was attended by delegations from 47 African States, 25 of them at the ministerial level. The workshop adopted the Dakar Declaration on the Prevention and Control of Organized Crime and Corruption.

24. The International Centre for Crime Prevention sponsored a seminar at Ouagadougou from 22 to 25 January 1997 for senior police officials from six francophone countries of West Africa on the theme "Public Security and Crime Prevention: Roles and Responsibilities of the Police and the Local Authorities in the Context of Democratization". The Institute's research adviser served as a resource person. The 60 participants shared their concerns about the increasing crime problems in urban areas. The seminar considered responsive approaches for promoting and supporting partnerships between municipalities, police, other institutions and the communities towards lasting solutions to violence and insecurity.

25. The Government of Argentina and the Crime Prevention and Criminal Justice Division organized an ad hoc expert group meeting on "Criminal Justice Statistics and Computerization of Information: Improving National and International Data Collection and Exchange", at Buenos Aires, from 10 to 13 March 1997. The Institute's research adviser participated as an expert. A direct outcome of the meeting was the appointment of an eight-member ad hoc editorial board, which included a representative of the Institute, which was mandated to prepare a manual for the development of criminal justice statistics.

26. The Crime Prevention and Criminal Justice Division and UNDCP are to sponsor a training seminar on "The ECOWAS Convention on Extradition and the Convention on Mutual Assistance in Criminal Matters", to be held in Ivory Coast during September 1997. The Institute has identified an expert to serve as a resource person for the seminar.

27. The Institute was represented in the team of the project on the international study on firearm regulation. The final report of the study[2] was submitted to the Commission on Crime Prevention and Criminal Justice at its sixth session.

28. The Institute is involved in a project on "Good Governance and Easing Social Tension in Uganda", involving the evaluation of the operation of local council courts. In addition, UNAFRI provided technical assistance to the Uganda national steering committee on the establishment of community service as an alternative to prison.

G. Conferences and seminars

29. The Institute participated in various international, regional and subregional and national meetings and seminars, as outlined below:

(a) The Institute was represented at the expert group meeting on gathering information on and analysis of firearm regulations held at Vienna from 10 to 14 February 1997, at which the report of the United Nations International study on firearm regulation was finalized. UNAFRI coordinated the work of the African national experts who participated in the study on behalf of their countries;

(b) The Director represented UNAFRI at the sixth session of the Commission on Crime Prevention and Criminal Justice, held at Vienna from 28 April to 9 May 1997, during which he participated in a special meeting of the representatives of the institutes comprising the United Nations crime prevention and criminal justice programme network. The statement by the representative of UNICRI on behalf of all institutes of the network drew the attention of the Commission to the financial plight of UNAFRI, which had been forced to reduce staff to a skeletal level (see para. 10 above). In addition, the Director established new contacts and explored prospective sources of support and cooperation for the Institute;

(c) The Eleventh Coordination Meeting of the United Nations crime prevention and criminal justice programme network was held at Courmayeur, Italy, on 2 and 3 October 1996. The Director also participated in the General Assembly of the International Scientific and Professional Advisory Council and in the subsequent seminar on "Migration and Crime", which was held by the Council at Courmayeur immediately after the coordination meeting;

(d) The Deputy Director represented the Institute at the International Training Workshop on Probation in Malta from 2 to 5 July 1997.

30. The Institute's staff participated as resource persons in a number of locally held seminars and workshops related to crime prevention and criminal justice, combating drugs and violent crime and the observance of human rights. At the same time, the Institute provided technical assistance and support to local initiatives with respect to organizing workshops and seminars.

III. Funding and support

A. Funding sources

31. During the reporting period, the Institute was funded by assessed contributions from member States, a grant from the United Nations and income generated by the rental of the Institute's premises.

1. Assessed financial contributions of member States

32. At present, the Institute has a membership of 28 African countries. As mentioned in the previous report, two other African countries indicated their interest in acceding to the statute of the Institute.

33. The effectiveness of the Institute in the area of crime prevention and control continues to be recognized by African Governments. Undoubtedly, member States are aware that the Institute must be funded by them, as they are its rightful owners. Nonetheless, by 31 July 1997, only two member States had paid their assessed contributions. Regrettably, the situation did not improve despite various appeals by the General Assembly, the Economic and Social Council, the Commission on Crime Prevention and Criminal Justice, the Conference of Ministers of the Economic Commission for Africa as well as the Governing Board of the Institute, and by Uganda, as the host country.

34. Since the inception of the Institute assessed contributions had only been received from 12 out of 28 countries: one country had settled all its outstanding assessed contributions; another member State was in arrears for one year; and the 10 other countries had made partial payments varying from one to six years' contributions. Thus, the total collections of contributions received from member States since 1989 amounted to US$ 302,261.19. This is less than 15 per cent of the total assessed contributions of $2,024,216.00, for the period from 1989 to 1997, thus leaving $1,721,954.81 as an outstanding balance.

2. United Nations

35. For the 1992-1993 biennium, the General Assembly approved a grant of $204,800 to cover the salaries of the Director and Deputy Director and other administrative expenses of the Institute, which continued to be included in the regular budget of the United Nations in subsequent bienniums. As at 31 December 1996, $72,353.63 of the grant had been spent on approved items, leaving an unspent balance of $132,446.37 to cover the 1997 expenditure.

B. Resources available

36. Total funds available to the Institute at the beginning of 1997 included the 1997 balance of the United Nations grant plus saving from receipts from the previous collection of member States' assessed contributions, amounting to $61,950.00. Anticipated funds included member States' assessed contributions amounting to $66,050.00 and income from the rental of the Institute's premises, amounting to $22,000.00. As at 31 July 1997, the Institute had received $13,935.00 out of these anticipated funds.

37. Consequently, the Institute had available resources of $208,331.37 as at 31 July 1997. In addition to these resources, the United States Government had committed $280,000 to the Institute for 1997 to execute the project on African extradition laws and mutual assistance. As at 31 July 1997, the Institute had received $140,000 to carry out the research phase of the project, which included surveys in about 25 African countries.

C. Additional funding

38. It should be recalled that the General Assembly in its resolutions 50/147 and 51/61 had called for the continued provision of adequate funds to cover the expenses of core staff and the basic requirements for the implementation of the Institute's programmes and the strengthening of its capacity to support national mechanisms for crime prevention and criminal justice in African countries.

39. Overall resource requirements for 1997 are estimated at $328,249. Some of these funds will be utilized as follows: (a) organization of a bilingual workshop on the prevention of crime in urban areas: promoting meaningful action strategies ($71,000); (b) organization of a bilingual seminar on de-institutionalization and the promotion of necessary prison reform ($71,000); (c) implementation of the next phase of the African survey on crime, victimization and criminal justice administration, involving research to be conducted in five additional countries ($35,000); (d) continuation of the action-oriented study on the resettlement of street children in Uganda in other African countries ($35,000); (e) reinstatement of the three frozen core staff posts to enable the Institute to provide the mandated activities ($87,794).

IV. Governing Board

40. The fifth ordinary meeting of the Governing Board is to be held in October 1997. The Institute, in consultation with the Chairman of the Governing Board, has prepared a full review of its activities during 1997. The Institute has been operating on the basis of the decisions of the Board from its Fourth Ordinary Meeting. Project proposals continued to be prepared and submitted to funding agencies. The statutory audit of the 1994 and 1995 financial statements of the Institute was carried out during the reporting period. An audit certificate was issued by the Board of Auditors after the auditing.

V. Economic Commission for Africa

41. The Economic Commission for Africa, following the decision of the Conference of Ministers responsible for Economic and Social Development and Planning, constituted a team of experts to carry out consultative missions to various ECA-sponsored institutions, including UNAFRI, to discuss the ECA recommendations based on the findings and recommendations of the Ad Hoc Committee of Ten to rationalize and harmonize the activities of those institutions. The experts visited the Institute from 16 to 20 February 1997.

42. In its report the mission emphasized that the Institute was a unique institution in Africa, that its existence was fully justified in terms of the needs assessment of member States and that its merits and continued existence as a regional Institute remained valid. The experts stressed that the continued existence of UNAFRI was further justified by its focus on human rights, criminal justice, the rehabilitation of offenders and the rule of law, issues that had become the priority concerns of all OAU member States. The mission stated, however, that the Institute lacked the human, material and financial resources to perform as a regional institution; its major constraint was the lack of funding. The Institute has to be maintained as a regional institute on a sound financial basis. The mission further recommended that UNAFRI: develop new revenue sources other than the assessed contributions from member States; intensify current activities while at the same time breaking new ground by developing and providing new types of services; develop consultancy services in training, research and advisory services which UNAFRI would offer to member States at a price. In addition, it was stressed that ECA, the United Nations Development Programme (UNDP) and African capacity-building foundations should support the Institute

by assisting it in developing a programme or service plan and the means to market it.

VI. Concluding remarks

43. The present report is the sixth in a series of reports of the Secretary-General on the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders. UNAFRI is a unique regional institution in Africa, which has continued to receive political support by African States and many of those African Governments that have not yet acceded to the statute. In addition, the Organization of African Unity and the United Nations crime prevention and criminal justice programme network have supported the Institute with a view to fostering regional cooperation and collaboration in crime prevention and criminal justice.

44. The Institute has maintained a structure for the execution of its mandated activities to service African countries. At the same time, it has further intensified its support for planned international cooperation and joint activities. Since its operationalization in 1991, the Institute has executed activities, in accordance with its approved programmes of work and budget and in response to requests by African Governments in training, research, reliable database and information delivery and advisory services. The latter have largely been made possible through the United Nations grant, the assistance provided by the United Nations Development Programme, the Economic Commission for Africa and contributions from member States.

45. The performance of the Institute has been recognized with satisfaction by its member States, the Economic and Social Council, the General Assembly, the Commission on Crime Prevention and Criminal Justice and the Economic Commission for Africa. In addition, UNAFRI has been commended by the General Assembly and the Economic and Social Council for its efforts towards the promotion and coordination of regional activities related to crime prevention and criminal justice in Africa. The ECA consultative mission report as well as the declaration issued by the African Ministerial Workshop on Corruption and Organized Transnational Crime stressed the value and the merits of UNAFRI and its continued existence.

46. Since the inception of the Institute, the host Government has continued to support it to the extent possible, including through the provision of funds and in-kind donations, in addition to the timely remittance of its annual assessed contribution. Particularly in times of acute difficulty, this support was extremely important, and the Institute could not have survived without it.

47. In all six reports of the Secretary-General, it has been stressed that the primary responsibility for providing the Institute with adequate funds rests with the member States. However, despite the various appeals by different bodies and authorities, the outstanding balance of unpaid assessed contributions amounts to over 85 per cent of the expected collections.

48. High crime rates and malfunctioning criminal justice systems are detrimental to sustainable development, which aims at introducing democracy and economic reforms in Africa. Transnational criminal activities are on the rise in many African countries. Consequently, African Governments have to deal with a growing crime rate while in many cases they lack the institutional capacity and the human and financial resources to implement effective counteractive measures.

49. In these circumstances, the role of UNAFRI in assisting African countries in strengthening their capacity in crime prevention and criminal justice cannot be overemphasized. The Institute not only must step up its present activities, but must also break new ground to assist African Governments in dealing with these situations.

50. In its resolutions 50/147 and 51/61, the General Assembly requested the Secretary-General to ensure that the Institute was provided with adequate funds within the overall appropriation of the programme budget and from extrabudgetary resources. In pursuance of these repeated requests, the Secretary-General has proposed continuation of the grant at the 1996-1997 level for the 1998-1999 biennium under section 16 of his proposed programme budget for the coming biennium with a view to ensuring some degree of stability for the Institute. No doubt, the Institute will have to continue to explore new revenue sources to ensure its efficient and effective operation.

Notes

[1] E/1997/30.

[2] E/CN.15/1997/4 and Corr.1.